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IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

THE UNITED STATES OF AMERICA

V.

ANDREY NESHCHERET

Case Number: 2:22-cr-00203-JAM

STIPULATION AND ORDER

Date: September 12, 2023

Time: 9:00 am

Judge: Hon John A. Mendez

Plaintiff United States of America, by and through its counsel of record, and the
Defendant, by and through each counsel of record, hereby stipulate as follows:

1. Attorney Hedberg was recently appointed to this case, and needs additional time
to review discovery and review it with his client. in order to effectively advise Mr. Neshcheret of
the potential ramifications if a conviction is had in the matter at bar.

2. By this stipulation, the parties now move to continue the status conference until at
9:30 am, and to exclude time between September 12, 2023, and November 14, 2023, under Local
Code T4. Plaintiff does not oppose this request.

3. The parties agree and stipulate, and request that the Court find the following:

a. The government has provided discovery associated with this case.

b. Counsel for the defendant desires time to consult with his client, to review the
current charges, to conduct investigation and research related to the charges, to review and copy

discovery for these matters and to discuss potential resolutions with his client.

Counsel for the defendant believes that failure to grant the above-requested continuance would deny him the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d. The government does not object to the continuance.

e. Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of September 12, 2023, to November 14, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED

Dated: September 6, 2023

Respectfully submitted

/s/ Olaf W. Hedberg

Olaf W. Hedberg
Attorney for Roger Neshcheret

/s/Matthew P. DeMoura

Matthew P. DeMoura
Special Assistant US Attorney

ORDER

GOOD CAUSE APPEARING, it is hereby ordered that the September 12, 2023 status conference be **CONTINUED to November 14, 2023, at 9:00 a.m.** The Court further finds that the ends of justice warrant an exclusion of time and that the defendant's need for continuity of counsel and reasonable time for effective preparation exceeds the public interest in a trial within 70 days. THEREFORE IT IS FURTHER ORDERED that time be excluded pursuant to 18 U.S.C. § 3161 (h) (7) (B) (ii) and Local Code T4 from the date of this order to November 14, 2023.

IT IS SO ORDERED.

Dated: September 07, 2023

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
SENIOR UNITED STATES DISTRICT JUDGE